IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI ST. JOSEPH DIVISION

ANGELA RENE KEPNER,)	
Plaintiff,)	
	,)	
v.)	Case No. 5:24-cv-06035-MDH
)	
MARTAIN O'MALLEY,)	
Commissioner of Social Security,)	
)	
Defendant.)	
	ORDER	

Before the Court is Defendant's Motion to Reverse and Remand with Suggestions in Support (Doc. 11). Defendant moves the Court to reverse the decision of the ALJ and remand this action pursuant to sentence four of section 205(g), 42 U.S.C. § 405(g).

Sentence four of 42 U.S.C. § 405(g) states: "The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing." The Eighth Circuit has suggested remand orders "that do not expressly affirm, modify, or reverse a decision of the Commissioner but rather direct him to cure some specific defect in the administrative proceeding, such as the ALJ's failure to develop the record or to properly evaluate the evidence" are remands pursuant to sentence four of 42 U.S.C. § 405(g). *Buckner v. Apfel*, 213 F.3d 1006, 1011 (8th Cir. 2000).

Defendant moves the Court to enter a final judgment reversing the decision of the ALJ and remanding the case to the Commissioner under sentence four of 42 U.S.C. § 405(g). Plaintiff filed a response (Doc. 12) indicating she agrees to reversal and remand pursuant to sentence four.

After reviewing the records in this case, and finding no objection to Defendant's request,

the Court hereby GRANTS Defendant's Motion to Reverse and Remand (Doc. 11). The decision

of the ALJ is HEREBY REVERSED and that the case is REMANDED to the Commissioner

pursuant to sentence four of 42 U.S.C. §405(g).

IT IS SO ORDERED.

Dated: September 30, 2024

/s/ Douglas Harpool

DOUGLAS HARPOOL UNITED STATES DISTRICT JUDGE